

11/03/2026
D/L – 44
Court No.28
S. Kundu
Allowed

C.R.M.(A) 611 of 2026

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Chitpur P.S case no. 196 of 2024 dated 08/11/2024 under sections 61(2)/318(4)/336(2)/336(3)/316(2)/352/79 of the BNS.

In the matter of: Saini Sengupta @ Shaini Sen Gupta

...Petitioner.

Mr. N. S. Ghosh
Ms. Laboni Sikder
Mr. Souvik Dey
Mr. Subhrajyoti Hazra

...for the petitioner.

Mr. Debashis Banerjee
Mr. Rakesh jana

...for the de-facto complainant.

Ms. Subhasree Patel
Mr. Sarthak Mondal

...for the State.

1. Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is a teacher working in Gujarat. She is presently at an advanced stage of pregnancy. The de-facto complainant is a promoter who develops property and claims that he has been in the business since 1987. It is alleged that the husband of the petitioner owned a property and that an agreement had been entered into for promotion of the said property with another developer. The petitioner and others allegedly convinced the de-facto complainant to take a loan of Rs.1.22 crores for investing the same in the project. It was understood that the earlier promoter would pay the EMIs and it was further allegedly understood that the

petitioner's husband property was to be mortgaged for the loan. The petitioner has been falsely implicated in this case.

2. Learned counsel appearing for the de-facto complainant strongly opposes the prayer for anticipatory bail. He submits that upon exercising such fraud, the petitioner convinced the de-facto complainant to take a loan and invest the same in the project. The EMIs are not being paid by the promoter.
3. Learned counsel appearing for the State opposes the prayer for anticipatory bail. She submits that part of the money taken as loan went to the account of the petitioner's husband.
4. One wonders whether there would be any question of mortgaging a property after a loan is taken.
5. It is also quite strange that after taking of such a loan by the de-facto complainant, some portion of the said money would go to the account of the petitioner's husband.
6. Be that as it may, considering the materials available in the case diary and the alleged role ascribed to the petitioner, who is in the family way, I do not think that custodial interrogation of the petitioner is required in this case and I am inclined to grant anticipatory bail to the petitioner.
7. In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local,

to the satisfaction of the Arresting Officer and also be subject to further conditions that the petitioner shall cooperate with the investigation and shall not threaten or intimidate the witnesses.

8. Accordingly, the application for anticipatory bail is allowed.
9. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)